

EXHIBIT 34



1 SUPREME COURT OF THE STATE OF NEW YORK
2 COUNTY OF BRONX : CRIMINAL TERM : PART 13
3 INDEX: 2207/01

4 -----x

5 THE PEOPLE OF THE STATE OF NEW YORK,

6
7 -against- HEARINGS, CONT

8
9 ANTHONY MANGANIELLO,
10 Defendant(s).

11 -----x

12 851 GRAND CONCOURSE
13 BRONX, NY 10451
14 June 21st, 2004
15

16 B E F O R E:

17 HONORABLE MARTIN MARCUS, Supreme Court Justice
18 (Same appearances as previously noted.)
19 -----

20 THE CLERK: This is number two on the
21 calendar. Indictment 2207/01 Anthony Manganiello.
22 Appearances, please.

23 MR. RICHMAN: Murray Richman for the
24 defendant.

25 MS. HILL: Renee Hill of counsel to

a/lr DET. AGOSTINI - PEOPLE - DIRECT

1 presence?

2 A. Yes.

3 Q. And is it at this point that you actually
4 have an exchange of words with Mr. Ross?

5 A. That's correct.

6 Q. What, if anything, does Mr. Ross say to you
7 at this point?

8 A. Yes, I was speaking with Detective Abate in
9 relation to the case, and attorney Richard Ross
10 approached me and he asked both of us who's the
11 detectives handling the case? We said we are. And then
12 his next word was, was it intentional?

Q. Did you respond in any way to Mr. Ross?

A. I was puzzled.

Q. Does Mr. Ross and Mr. Manganiello's brother
remain at the precinct or do they leave?

A. I think they left like maybe 10, 15 minutes
later. I don't know if the attorney left, but I know the
brother left 10 or 15 minutes later.

Q. And when they leave, do they leave without
Mr. Manganiello?

Does Mr. Manganiello, the defendant, remain
the 43rd Precinct?

A. Yes.

MS. SCACCIA: Your Honor, may I just